

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Investigation by the Department of Telecommunications and)	
Energy on its own motion regarding the service quality guidelines)	
Established in <u>Service Quality Standards for Electric Distribution</u>)	D.T.E. 04 -116
<u>Companies Local Gas Distribution Companies</u> , DTE 99-84 (2001))	

MOTION TO INTERVENE AND COMMENT OF STRATEGIC ENERGY L.L.C.

INTRODUCTION

Strategic Energy, L.L.C., (“Strategic”) is a Competitive Supplier active in Massachusetts and eight other states. Due to the nature of the question posed in the Order Opening an Investigation, issued December 13, 2004 by the Department of Telecommunications and Energy’s (the “Department”), Strategic did not initially intervene or offer comments in this proceeding. However, Constellation NewEnergy, Inc. (“Constellation”) in their comments raise issues that substantially affect competitive retail energy suppliers in Massachusetts. Strategic Energy supports Constellation’s position that the quality of “market access services” has a material impact on the ability of consumers to benefit from retail competition. Strategic now has substantial interest in the Department’s Investigation in Service Quality Standards. Accordingly, Strategic requests that it be allowed to intervene in this proceeding and submit the following comments.

MARKET ACCESS SERVICE QUALITY PROPOSAL

In its initial comments, Constellation argued that the quality of “market access services” provided to consumers to support retail access is a critical element in enabling consumers to benefit from retail competition. Specifically, Constellation argued:

In the restructured utility industry, distribution companies provide more than just traditional distribution services. They provide a host of additional services that enable customers to participate in competitive markets. These “market access” services include providing usage data, processing enrollments, and providing billing-related services for competitively served accounts. They are key elements of today’s utility service.

The Department’s service quality guidelines should be expanded to include these market access services. These services are not covered by the existing guidelines and the distribution companies have no incentive to provide quality market access services.¹

Strategic Energy strongly concurs with this statement. While the distribution utilities do not intentionally erect barriers to competition, and utility staffs are often helpful when asked for assistance with specific customer issues, the utilities clearly do not have incentives to resolve “market access” issues that plague retail access in Massachusetts. As detailed by Constellation, interval data is often difficult if not impossible to acquire, billing data is sometimes late or inaccurate, and getting responses to EDI and other queries is often slow. Despite the language in 220 CMR 11:04 requiring utilities to provide usage information to suppliers, Strategic has found it often very difficult to acquire de-aggregated usage, which is needed to determine how utilities settle our interval metered accounts. Without interval settlement data, it becomes difficult to provide consumers accurate bills for time-differentiated and demand response services. In addition, suppliers are not always given access to all of the information necessary to

¹ Comments of Constellation NewEnergy, Inc. DTE 04-116, March 1, 2005

reproduce the settlement steps used by the utilities when processing profiled customers, which increases the risk and cost of serving these customers. All of these market service issues, collectively, increase costs to consumers and limit their choices. Strategic Energy strongly supports the comments of Constellation that encourage the Department to develop standards for retail market access services.

CONCLUSION

Strategic Energy respectfully requests that the Department move to address and resolve the market access services issues detailed in the Constellation comments and here.

Respectfully submitted,

/s/

Michael Swider
Director, Regulatory Affairs
1350 I Street, NW
Washington, DC 20005
(202) 639-5916
[mswider@sel.com](mailto:mswiper@sel.com)

Jeffrey Knox
Manager Regulatory Affairs
2 Gateway Center
Pittsburgh, PA 15222
(412) 394-5652
jknox@sel.com

Date: April 5, 2005